



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Gregory H. Scott et al. ) Attorney Docket No.: KEJR.84164  
Serial No.: 09/888,907 ) Examiner: Thomas P. Noland  
Filed: June 25, 2001 ) Art Unit: 2856  
Title: Soil Sampler Liner with )  
Areas of Reduced Wall )  
Thickness )

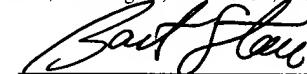
#3/Election  
App'dam  
1/30/03

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Box Responses-No Fee, Assistant Commissioner for Patents, Washington, D.C. 20231, on:

1/21/03

Date



Signature

RESPONSE TO RESTRICTION OR ELECTION REQUIREMENT

Box Responses – No Fee  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office communication mailed on December 20, 2002, Applicant provisionally elects the invention claimed in claims 1-15 and respectfully requests examination of claims 1-15. Applicant assumes that Invention Group 1 includes apparatus claims **1-15**, not “Claims **1-5**, drawn to a soil sampler liner,” as indicated by the Examiner. *See* Office communication, page 2, paragraph 2.I (emphasis added).

RECEIVED  
JAN 29 2003  
TECHNOLOGY CENTER 2800

Applicant respectfully traverses the restriction requirement with regard to the contention of the Examiner that Inventions Group 1 (apparatus claims 1-15) and Group 2 (claim 16) are distinct, each from the other, because the apparatus as claimed can be used to practice another and materially different process. In particular, Applicant does not understand the Examiner's contention that "the apparatus is claimed can be used to practice another and materially different process such as one where the reduced areas are not used to facilitate cutting but to allow easier injection of a treating chemical." See Office communication, pages 2-3, paragraph 3.

Respectfully submitted,



Bart A. Starr  
Reg. No. 48,386

Shook, Hardy & Bacon LLP  
One Kansas City Place  
1200 Main Street  
Kansas City, MO 64105  
(816) 474-6550

THE COMMISSIONER IS HEREBY AUTHORIZED TO  
CHARGE ANY ADDITIONAL AMOUNT, REQUIRED OR  
CREDIT ANY OVERPAYMENT, TO ACCOUNT NO. 19-2112.  
A DUPLICATE COVER OF THIS SHEET IS ENCLOSED.